

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY cy D.C.
05 SEP 26 PM 4: 04

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

SMITH & NEPHEW, INC.,

Plaintiff,

v.

No. 04-2446-B/P

STRYKER CORPORATION and
HOWMEDICA-OSTEONICS
CORPORATION,

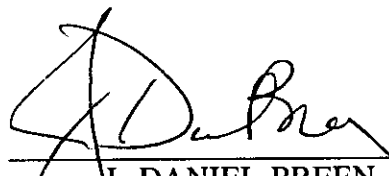
Defendants.

ORDER ADMINISTRATIVELY CLOSING CASE

This court, having been advised by local counsel for Stryker Corporation that settlement has been reached on all matters in this case, directs that this action be DISMISSED. Furthermore, any pending motions are DENIED as moot and all proceedings currently set before the court are removed from the court's calendar.

The dismissal granted herein shall be without prejudice for a period of 30 days from the entry of this order. If settlement is not consummated within that 30 day period, the parties may reopen this action upon motion approved by the court. Should the parties fail to move to reopen the case within the prescribed period, the matter shall, without further order, stand dismissed with prejudice.

IT IS SO ORDERED this 26th day of September, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 9-27-05

(48)



Notice of Distribution

This notice confirms a copy of the document docketed as number 48 in case 2:04-CV-02446 was distributed by fax, mail, or direct printing on September 27, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT